



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/028,842	12/20/2001	Ronal Richard French	ROC920010279US1	3305

7590

05/06/2004

Gero G. McClellan  
Moser, Patterson & Sheridan, L.L.P.  
Suite 1500  
3040 Post Oak Boulevard  
Houston, TX 77056-6582

EXAMINER

WOO, ISAAC M

ART UNIT

PAPER NUMBER

2172

DATE MAILED: 05/06/2004

4

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

10/028,842

Applicant(s)

FRENCH ET AL.

Examiner

Isaac M Woo

Art Unit

2172

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 20 December 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-32 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-32 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## DETAILED ACTION

### ***Claim Rejections - 35 USC § 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nielsen (U.S. Patent No. 6,405,243).

With respect to claims 1, 12, 14, 17 and 22, Nielsen discloses, method communicating between a first system and a second system each having associated database, email communication facility and interactive interface, (fig. 1, col. 3, lines 6-65), generating, at the first system (103, fig. 1, col. 3, lines 6-65), a first electronic document (137, fig. 1, by email program, col. 3, lines 6-65) containing information; a first e-mail code to transmit the first electronic document from the first system to the second system (105, fig. 1, col. 3, lines 6-65, fig. 2, col. 4, lines 1-34); the e-mail code to receive, at the first system (137, fig. 1, by email program, col. 3, lines 6-65), a second electronic document from the second system (105, fig. 1, col. 3, lines 6-65, fig. 2, col. 4, lines 1-34, fig. 4, col. 5, lines 60-67 to col. 6, lines 1-67); and updating data in a first

Art Unit: 2172

database of the first system utilizing information in the second electronic document (update message, fig. 2, col. 4, lines 1-34, fig. 4, col. 5, lines 60-67 to col. 6, lines 1-67). Nielsen discloses, receive, and transmit email (col. 4, lines 1-34). Nielsen does not explicitly disclose, invoking email code. However, Nielsen discloses each computer has email program (134, 115, 137, fig. 1) that can send, receive, modify and create email message with using email system program code, see (col. 1, lines 10-67 to col. 2, lines 1-24). Therefore, it would have been obvious to a person having ordinary skill in the art at the time of the invention was made to include invoking the e-mail code in the system of the Nielsen. Because the email system executes the program code to generate, send and modify, etc., program command for email system operation. Thus, email system needs invoking program code to execute the email system.

With respect to claims 2, 7, 13 and 23 Nielsen discloses, predetermined event is a test failure of an application (problem management and developer system) being developed in the second system, see (fig. 2, col. 4, lines 1-34, fig. 4, col. 5, lines 60-67 to col. 6, lines 1-67).

With respect to claims 3 and 24, Nielsen discloses, the first and second electronic documents comprise e-mail messages, see (fig. 1, col. 3, lines 6-65, fig. 2, col. 4, lines 1-34, fig. 4, col. 5, lines 60-67 to col. 6, lines 1-67).

With respect to claims 4, 21 and 25, Nielsen discloses, the first electronic document contains information selected from at least one of: an action to be performed by the second system, an identification for the second system, an identification for the first system, a description of an application defect, and a remark, see (fig. 1, col. 3, lines 6-65, fig. 2, col. 4, lines 1-34, fig. 4, col. 5, lines 60-67 to col. 6, lines 1-67).

With respect to claims 5-6, 8-9, 15-16, 26-27 and 29-30, Nielsen discloses, first system comprises a Lotus Notes system and the second system comprises a Configuration Management and Version Control@ application, see (fig. 1, col. 3, lines 6-65, fig. 2, col. 4, lines 1-34, fig. 4, col. 5, lines 60-67 to col. 6, lines 1-67, Lotus Notes system email management system).

With respect to claims 10-11, 28 and 31-32, Nielsen discloses, defect information about a defect found in an application being developed and about a defect resolution for the defect found in the application, see (col. 4, lines 1-34, fig. 4, col. 5, lines 60-67 to col. 6, lines 1-67).

With respect to claim 17, Nielsen discloses, the first interactive interface and the second interactive interface comprise encoding and decoding e-mail which, when executed, encodes and decodes electronic documents transmitted between the first system and the second system, see (col. 3, lines 6-65, fig. 2, col. 4, lines 1-34).

With respect to claim 18, Nielsen discloses, the first system and the second system are configured to perform a command in response to information contained in an electronic document from the other system received via the network, see (fig. 1, col. 3, lines 6-65).

With respect to claim 19, Nielsen discloses, the first and second e-mail communications facilities comprise e-mail code, see (fig. 1, col. 3, lines 6-65).

With respect to claim 20, Nielsen discloses, the first system is further configured to test an application being developed in the second system, and wherein an electronic document is generated and transmitted from the first system to the second system in response to a test failure of the application, see (fig. 2, col. 4, lines 1-34, fig. 4, col. 5, lines 60-67 to col. 6, lines 1-67).

***Conclusion***

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Hussey discloses (U.S. patent No. 6,230,156) discloses, the system for server in a distributed processing environment is provided. The system includes a plurality of clients disposed for communication with a database server through an electronic mail system. The server includes an electronic mail interface for receiving queries submitted by the clients and for transmitting the corresponding responses. A mail processor is also provided for processing the queries submitted by the clients and for submitting the queries to the request processor. The mail processor operates to provide bi-directional communication between the mail interface and the request processor. In addition, the mail processor retrieves mail messages from the mail interface, translates them into a format recognized by the request processor, receives query results from the request processor, and returns the results with the appropriate user identification to the mail interface. A scheduler, provided in connection with the server, provides automated scheduled execution of the mail processor in accordance with a set of programmed tasks.


***Contact Information***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Isaac M Woo whose telephone number is (703) 305-0081. The examiner can normally be reached on 8:00-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John E Breene can be reached on (703) 305-9790. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

IMW  
April 22, 2004

  
SHAHID ALAM  
PRIMARY EXAMINER